

## Article - Environment

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§9–668.

(a) For the construction, maintenance, or operation of any part of a project, the district may acquire any interest in real property by:

(1) Purchase; or

(2) Exercise of the power of eminent domain as provided in Title 12 of the Real Property Article.

(b) (1) Except as otherwise provided in this subsection, the district may condemn a property right in a cemetery only to install a sewer line or a water line.

(2) The district may not condemn any property rights in and may not disturb:

(i) Any existing grave;

(ii) Any grave marker or monument;

(iii) Any grave site whose title has been transferred through a sale or exchange made in good faith; or

(iv) Any grave site as to which burial rights have vested or been transferred through a sale or agreement made in good faith.

(c) Before the district condemns a property right in a cemetery, the sanitary commission shall adopt a resolution that:

(1) Is approved by a majority of the sanitary commissioners appointed from the member county in which the cemetery is located;

(2) Includes a declaration that the condemnation is necessary for the public health and safety; and

(3) Includes a declaration that immediate acquisition of the property right in the cemetery is necessary.

(d) The sanitary commission shall bury every water line and sewer line that it builds in cemetery land.

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